

**REMARKS**

Claims 1, 8, 19, 25, 37, 45, 49-55, 58, 61, and 64 have been amended. Claims 1-17, 19-35, 37-47, and 49-79 are pending for consideration. In view of the following amendments and remarks, Applicant respectfully solicits allowance of the application and furtherance onto issuance.

**§ 102 Rejections**

Claims 1, 7, 19, 37, 49-54, 64, and 71 stand rejected under 35 U.S.C § 102(e), as being anticipated by U.S. Patent No. 6,389,455 to Fuisz (hereinafter "Fuisz").

**§ 103 Rejections**

Claims 2, 20, 38, 55, 58, 61, and 65 stand rejected under 35 U.S.C § 103(a), as being unpatentable over Fuisz in view of U.S. Patent Application No. 2002/0010665 to Lefebvre (hereinafter "Lefebvre").

Claims 56-57, 59-60, and 62-63 stand rejected under 35 U.S.C § 103(a), as being unpatentable over Fuisz in view of Lefebvre and U.S. Patent No. 6,167,448 to Hemphill (hereinafter "Hemphill").

Claims 4, 6, 8, 22, 24, 25, 42, 44, 45, 68, 70, and 72 stand rejected under 35 U.S.C § 103(a), as being unpatentable over Fuisz.

Claims 3, 5, 9-10, 14-17, 21, 23, 27-28, 32-35, 41, 43, 46-47, 67, 69, 73-74, and 78-79 stand rejected under 35 U.S.C § 103(a), as being unpatentable over Fuisz in view of Connolly (Hypertext Markup Language – 2.0) and Hemphill.

Claims 11-13, 29-31, and 75-77 stand rejected under 35 U.S.C § 103(a), as being unpatentable over Fuisz in view of Hemphill.

1 Claim 40 stands rejected under 35 U.S.C § 103(a), as being unpatentable  
2 over Fuisz in view of Postel (TCP).

3 Claims 39 and 66 stand rejected under 35 U.S.C § 103(a), as being  
4 unpatentable over Fuisz in view of Lefebvre and U.S. Patent No. 5,838,720 to  
5 Morelli (hereinafter "Morelli").

6  
7 **Claims 1-17**

8 As amended, claim 1 recites a method of formatting a message for  
9 exchange between entities on a network, the method comprising [emphasis  
10 added]:

- 11
- 12 • generating a message envelope;
  - 13 • generating contents of the message envelope, the contents  
14 comprising data structures, each data structure identifies which  
15 entity is intended to process the data structure when that entity  
16 receives the message envelope over the network, wherein at least  
17 one of the data structures includes an *explicit request* for that entity  
18 to perform a task.

19 In making out the rejection of former claim 8, part of which subject matter  
20 is now incorporated into claim 1, the Office states that Fuisz does not explicitly  
21 teach data structures including a request for an entity to perform a task, wherein  
22 the data structures lack instructions for performing the task. Applicant agrees. The  
23 Office then takes Official Notice that "both the concept and advantages of an  
24 email being sent from one computer to another computer for the purpose of the  
25 second computer displaying the email are well known and expected in the art."  
Next, the Office argues that "the emails sent in Fuisz are requesting the second  
computer to perform a task of displaying the e-mail."

Applicant has amended this claim to clarify that the request for the entity to perform a task is an *explicit* one. Notwithstanding the Office's argument, Fuisz does not teach at least one data structure that includes an *explicit request* for an entity to perform a task. Accordingly, for at least this reason, this claim is allowable.

Claims 2-17 ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable.

In addition to its own merits, each of these dependent claims is allowable for the same reasons that its base claim is allowable. Applicant requests that the Office withdraw the rejection of each of these dependent claims because its base claim is allowable.

### Claims 19-35

As amended, claim 19 recites a method of delivering a message over a network, the method comprising [emphasis added]:

- transmitting a message envelope of a message from an origin entity to a destination entity via one or more intermediate entities on the network;
- the message envelope having contents comprising data structures, each data structure identifies which entity is intended to process the data structure when that entity receives the message envelope over the network, wherein at least one of the data structures includes an *explicit request* for the destination entity to perform a task.

In making out the rejection of former claim 25, part of which subject matter is now incorporated into claim 19, the Office states that Fuisz does not explicitly teach data structures including a request for an entity to perform a task, wherein the data structures lack instructions for performing the task. Applicant agrees. The

1 Office then takes Official Notice that "both the concept and advantages of an  
2 email being sent from one computer to another computer for the purpose of the  
3 second computer displaying the email are well known and expected in the art."  
4 Next, the Office argues that "the emails sent in Fuisz are requesting the second  
5 computer to perform a task of displaying the e-mail."

6 Applicant has amended this claim to clarify that the request for the  
7 destination entity to perform a task is an *explicit* one. Notwithstanding the Office's  
8 argument, Fuisz does not teach at least one data structure that includes an *explicit*  
9 *request* for a destination entity to perform a task. Accordingly, for at least this  
10 reason, this claim is allowable.

11 **Claims 20-35** ultimately depend upon independent claim 19. As discussed  
12 above, claim 19 is allowable.

13 In addition to its own merits, each of these dependent claims is allowable  
14 for the same reasons that its base claim is allowable. Applicant requests that the  
15 Office withdraw the rejection of each of these dependent claims because its base  
16 claim is allowable.

17  
18 **Claims 37-47**

19 As amended, claim 37 recites a method of parsing a message received by a  
20 receiving entity over a network from a sending entity, the method comprising  
21 [emphasis added]:

- 22 • parsing a message envelope;
- 23 • parsing contents of the message envelope, the contents comprising
- 24 data structures, each data structure identifies which entity is intended
- 25 to process the data structure when that entity receives the message
- envelope over the network, wherein at least one of the data

1 structures includes an *explicit request* for the receiving entity to  
2 perform a task.

3 In making out the rejection of former claim 45, part of which subject matter  
4 is now incorporated into claim 37, the Office states that Fuisz does not explicitly  
5 teach data structures including a request for an entity to perform a task, wherein  
6 the data structures lack instructions for performing the task. Applicant agrees. The  
7 Office then takes Official Notice that "both the concept and advantages of an  
8 email being sent from one computer to another computer for the purpose of the  
9 second computer displaying the email are well known and expected in the art."  
10 Next, the Office argues that "the emails sent in Fuisz are requesting the second  
11 computer to perform a task of displaying the e-mail."

12 Applicant has amended this claim to clarify that the request for the  
13 receiving entity to perform a task is an *explicit* one. Notwithstanding the Office's  
14 argument, Fuisz does not teach at least one data structure that includes an *explicit*  
15 *request* for a receiving entity to perform a task. Accordingly, for at least this  
16 reason, this claim is allowable.

17 Claims 38-47 ultimately depend upon independent claim 37. As discussed  
18 above, claim 37 is allowable.

19 In addition to its own merits, each of these dependent claims is allowable  
20 for the same reasons that its base claim is allowable. Applicant requests that the  
21 Office withdraw the rejection of each of these dependent claims because its base  
22 claim is allowable.  
23  
24  
25

1        **Claim 49**

2        As amended, **claim 49** recites a computer-readable storage medium having  
3        computer-executable instructions that, when executed by a computer, performs a  
4        method of formatting a message for exchange between entities on a network, the  
5        method comprising [emphasis added]:

- 6            • generating a message envelope;  
7            • generating contents of the message envelope, the contents  
8            comprising data structures, each data structure identifies which  
9            entity is intended to process the data structure when that entity  
10           receives the message envelope over the network, wherein at least  
11           one of the data structures includes an *explicit request* for that entity  
12           to perform a task.

13        In making out the rejection of former claim 8, part of which subject matter  
14        is now incorporated into claim 49, the Office states that Fuisz does not explicitly  
15        teach data structures including a request for an entity to perform a task, wherein  
16        the data structures lack instructions for performing the task. Applicant agrees. The  
17        Office then takes Official Notice that “both the concept and advantages of an  
18        email being sent from one computer to another computer for the purpose of the  
19        second computer displaying the email are well known and expected in the art.”  
20        Next, the Office argues that “the emails sent in Fuisz are requesting the second  
21        computer to perform a task of displaying the e-mail.”

22        Applicant has amended this claim to clarify that the request for the entity to  
23        perform a task is an *explicit* one. Notwithstanding the Office’s argument, Fuisz  
24        does not teach at least one data structure that includes an *explicit request* for an  
25        entity to perform a task. Accordingly, for at least this reason, this claim is  
allowable.

**Claim 50**

As amended, **claim 50** recites a computer-readable storage medium having computer-executable instructions that, when executed by a computer, performs a method of delivering a message between entities on a network, the method comprising [emphasis added]:

- transmitting a message envelope of a message from an origin entity to a destination entity via one or more intermediate entities on the network;
- the message envelope having contents comprising data structures, each data structure identifies which entity is intended to process the data structure when that entity receives the message envelope over the network, wherein at least one of the data structures includes an *explicit request* for the destination entity to perform a task.

In making out the rejection of former claim 8, part of which subject matter is now incorporated into claim 50, the Office states that Fuisz does not explicitly teach data structures including a request for an entity to perform a task, wherein the data structures lack instructions for performing the task. Applicant agrees. The Office then takes Official Notice that “both the concept and advantages of an email being sent from one computer to another computer for the purpose of the second computer displaying the email are well known and expected in the art.” Next, the Office argues that “the emails sent in Fuisz are requesting the second computer to perform a task of displaying the e-mail.”

Applicant has amended this claim to clarify that the request for the destination entity to perform a task is an *explicit* one. Notwithstanding the Office’s argument, Fuisz does not teach at least one data structure that includes an *explicit*

1 *request* for a destination entity to perform a task. Accordingly, for at least this  
2 reason, this claim is allowable.

3  
4 **Claim 51**

5 As amended, **claim 51** recites a computer-readable storage medium having  
6 computer-executable instructions that, when executed by a computer, performs a  
7 method of parsing a message received by a receiving entity over a network from a  
8 sending entity, the method comprising [emphasis added]:

- 9
- parsing a message envelope of a message;
  - parsing contents of the message envelope, the contents comprising  
10 data structures, each data structure identifies which entity is intended  
11 to process the data structure when that entity receives the message  
12 envelope over the network, wherein at least one of the data  
13 structures includes an *explicit request* for the receiving entity to  
perform a task.

14 In making out the rejection of former claim 8, part of which subject matter  
15 is now incorporated into claim 51, the Office states that Fuisz does not explicitly  
16 teach data structures including a request for an entity to perform a task, wherein  
17 the data structures lack instructions for performing the task. Applicant agrees. The  
18 Office then takes Official Notice that "both the concept and advantages of an  
19 email being sent from one computer to another computer for the purpose of the  
20 second computer displaying the email are well known and expected in the art."  
21 Next, the Office argues that "the emails sent in Fuisz are requesting the second  
22 computer to perform a task of displaying the e-mail."

23 Applicant has amended this claim to clarify that the request for the  
24 receiving entity to perform a task is an *explicit* one. Notwithstanding the Office's  
25 argument, Fuisz does not teach at least one data structure that includes an *explicit*



1 *request* for a receiving entity to perform a task. Accordingly, for at least this  
2 reason, this claim is allowable.

3  
4 **Claim 52**

5 As amended, **claim 52** recites a message exchange apparatus comprising  
6 [emphasis added]:

- 7
- 8 • a processor;
  - 9 • a message formatter executable on the processor to:
    - 10 ○ generate a message envelope of a message;
    - 11 ○ generate contents of the message envelope, the contents  
12 comprising data structures, each data structure identifies  
13 which entity is intended to process the data structure when  
14 that entity receives the message envelope over the network,  
15 wherein at least one of the data structures includes an *explicit*  
16 *request* for that entity to perform a task.

17 In making out the rejection of former claim 8, part of which subject matter  
18 is now incorporated into claim 52, the Office states that Fuisz does not explicitly  
19 teach data structures including a request for an entity to perform a task, wherein  
20 the data structures lack instructions for performing the task. Applicant agrees. The  
21 Office then takes Official Notice that “both the concept and advantages of an  
22 email being sent from one computer to another computer for the purpose of the  
23 second computer displaying the email are well known and expected in the art.”  
24 Next, the Office argues that “the emails sent in Fuisz are requesting the second  
25 computer to perform a task of displaying the e-mail.”

26 Applicant has amended this claim to clarify that the request for the entity to  
27 perform a task is an *explicit* one. Notwithstanding the Office’s argument, Fuisz  
28 does not teach at least one data structure that includes an *explicit request* for an

entity to perform a task. Accordingly, for at least this reason, this claim is allowable.

### Claim 53

As amended, claim 53 recites a message exchange apparatus comprising [emphasis added]:

- a processor;
- a message deliverer executable on the processor to:
  - transmit a message envelope of a message from an origin entity to a destination entity via one or more intermediate entities on the network;
  - the message envelope having contents comprising data structures, each data structure identifies which entity is intended to process the data structure when that entity receives the message envelope over the network, wherein at least one of the data structures includes an *explicit request* for the destination entity to perform a task.

In making out the rejection of former claim 8, part of which subject matter is now incorporated into claim 53, the Office states that Fuisz does not explicitly teach data structures including a request for an entity to perform a task, wherein the data structures lack instructions for performing the task. Applicant agrees. The Office then takes Official Notice that “both the concept and advantages of an email being sent from one computer to another computer for the purpose of the second computer displaying the email are well known and expected in the art.” Next, the Office argues that “the emails sent in Fuisz are requesting the second computer to perform a task of displaying the e-mail.”

Applicant has amended this claim to clarify that the request for the destination entity to perform a task is an *explicit* one. Notwithstanding the Office’s

1 argument, Fuisz does not teach at least one data structure that includes an *explicit*  
2 *request* for a destination entity to perform a task. Accordingly, for at least this  
3 reason, this claim is allowable.

4 **Claim 54**

5 As amended, claim 54 recites a message exchange apparatus comprising  
6 [emphasis added]:

- 7
- 8 • a processor;
  - 9 • a message parser executable on the processor to:
    - 10 ○ parse a message envelope of a message;
    - 11 ○ parse contents of the message envelope, the contents comprising
    - 12 data structures, each data structure identifies which entity is
    - 13 intended to process the data structure when that entity receives
    - 14 the message envelope over the network, wherein at least one of
    - 15 the data structures includes an *explicit request* for that entity to
    - 16 perform a task.

17 In making out the rejection of former claim 8, part of which subject matter  
18 is now incorporated into claim 54, the Office states that Fuisz does not explicitly  
19 teach data structures including a request for an entity to perform a task, wherein  
20 the data structures lack instructions for performing the task. Applicant agrees. The  
21 Office then takes Official Notice that “both the concept and advantages of an  
22 email being sent from one computer to another computer for the purpose of the  
23 second computer displaying the email are well known and expected in the art.”  
24 Next, the Office argues that “the emails sent in Fuisz are requesting the second  
25 computer to perform a task of displaying the e-mail.”

26 Applicant has amended this claim to clarify that the request for the entity to  
27 perform a task is an *explicit* one. Notwithstanding the Office’s argument, Fuisz  
28 does not teach at least one data structure that includes an *explicit request* for an

1 entity to perform a task. Accordingly, for at least this reason, this claim is  
2 allowable.

3  
4 Claims 55-57

5 As amended, claim 55 recites a message envelope generated in accordance  
6 with the following acts [emphasis added]:

- 7
- 8 • providing a sending entity in communication with a network of  
9 entities;
  - 10 • generating contents of the message envelope of a message, the  
11 contents comprising:
    - 12 o a header data structure which identifies an intermediate entity as  
13 that which is intended to process the header data structure and  
14 whether that intermediate entity must understand such data  
15 structure; and
    - 16 o a body data structure which identifies a destination entity as that  
17 which is intended to process the body data structure,
    - 18 o wherein at least one of the data structures includes an *explicit*  
19 *request* for at least one of the entities to perform a task.

20 In making out the rejection of former claim 8, part of which subject matter  
21 is now incorporated into claim 55, the Office states that Fuisz does not explicitly  
22 teach data structures including a request for an entity to perform a task, wherein  
23 the data structures lack instructions for performing the task. Applicant agrees. The  
24 Office then takes Official Notice that "both the concept and advantages of an  
25 email being sent from one computer to another computer for the purpose of the  
second computer displaying the email are well known and expected in the art."  
Next, the Office argues that "the emails sent in Fuisz are requesting the second  
computer to perform a task of displaying the e-mail."

Applicant has amended this claim to clarify that the request for at least one  
of the entities to perform a task is an *explicit* one. Notwithstanding the Office's

1 argument, neither Fuisz nor Lebevre teach or suggest at least one data structure  
2 that includes an *explicit request* for an entity to perform a task. Accordingly, for at  
3 least this reason, this claim is allowable.

4 **Claims 56-57** ultimately depend upon independent claim 55. As discussed  
5 above, claim 55 is allowable.

6 In addition to its own merits, each of these dependent claims is allowable  
7 for the same reasons that its base claim is allowable. Applicant requests that the  
8 Office withdraw the rejection of each of these dependent claims because its base  
9 claim is allowable.

10  
11 **Claims 58-60**

12 As amended, **claim 58** recites a modulated data signal having computer-  
13 executable instructions embodied thereon comprising [emphasis added]:

- 14
- 15 • a header data structure which identifies an intermediate entity, over a  
16 network of entities, as that which is intended to process the header  
data structure and whether that intermediate entity must understand  
such data structure; and
  - 17 • a body data structure which identifies the destination entity as that  
which is intended to process the body data structure,
  - 18 • wherein at least one of the data structures includes an *explicit*  
19 *request* for at least one of the entities to perform a task.

20 In making out the rejection of former claim 8, part of which subject matter  
21 is now incorporated into claim 58, the Office states that Fuisz does not explicitly  
22 teach data structures including a request for an entity to perform a task, wherein  
23 the data structures lack instructions for performing the task. Applicant agrees. The  
24 Office then takes Official Notice that "both the concept and advantages of an  
25 email being sent from one computer to another computer for the purpose of the

1 second computer displaying the email are well known and expected in the art.”

2 Next, the Office argues that “the emails sent in Fuisz are requesting the second  
3 computer to perform a task of displaying the e-mail.”

4 Applicant has amended this claim to clarify that the request for at least one  
5 of the entities to perform a task is an *explicit* one. Notwithstanding the Office’s  
6 argument, neither Fuisz nor Lefebvre teach or suggest at least one data structure  
7 that includes an *explicit request* for an entity to perform a task. Accordingly, for at  
8 least this reason, this claim is allowable.

9 **Claims 59-60** ultimately depend upon independent claim 58. As discussed  
10 above, claim 58 is allowable.

11 In addition to its own merits, each of these dependent claims is allowable  
12 for the same reasons that its base claim is allowable. Applicant requests that the  
13 Office withdraw the rejection of each of these dependent claims because its base  
14 claim is allowable.

15  
16 **Claims 61-63**

17 As amended, **claim 61** recites a computer-readable medium having a data  
18 structure embodied thereon comprising [emphasis added]:

- 19
- 20 • a header data-structure section which identifies an intermediate  
entity, over a network of entities, as that which is intended to process  
the header data-structure section and whether that intermediate entity  
must understand such data-structure section; and
  - 21 • a body data-structure section which identifies the destination entity  
as that which is intended to process the body data-structure section,
  - 22 • wherein at least one of the data-structures includes an *explicit*  
23 *request* for at least one of the entities to perform a task.
- 24  
25

1 In making out the rejection of former claim 8, part of which subject matter  
2 is now incorporated into claim 61, the Office states that Fuisz does not explicitly  
3 teach data structures including a request for an entity to perform a task, wherein  
4 the data structures lack instructions for performing the task. Applicant agrees. The  
5 Office then takes Official Notice that "both the concept and advantages of an  
6 email being sent from one computer to another computer for the purpose of the  
7 second computer displaying the email are well known and expected in the art."  
8 Next, the Office argues that "the emails sent in Fuisz are requesting the second  
9 computer to perform a task of displaying the e-mail."

10 Applicant has amended this claim to clarify that the request for at least one  
11 of the entities to perform a task is an *explicit* one. Notwithstanding the Office's  
12 argument, neither Fuisz nor Lefebvre teach or suggest at least one data structure  
13 that includes an *explicit request* for an entity to perform a task. Accordingly, for at  
14 least this reason, this claim is allowable.

15 **Claims 62-63** ultimately depend upon independent claim 61. As discussed  
16 above, claim 61 is allowable.

17 In addition to its own merits, each of these dependent claims is allowable  
18 for the same reasons that its base claim is allowable. Applicant requests that the  
19 Office withdraw the rejection of each of these dependent claims because its base  
20 claim is allowable.

21  
22 **Claims 64-79**

23 As amended, **claim 64** recites a method of formatting a message for  
24 exchange between entities on a network, the method comprising [emphasis  
25 added]:

- generating a message envelope of a message, the message comprising at least one *explicit request* by one entity on a network of another entity on the network to perform a task;
- generating contents of the message envelope, the contents comprising data structures, each data structure identifies which entity is intended to process the data structure when that entity receives the message envelope over the network.

In making out the rejection of this claim, the Office argues that it is “inherent” that Fuisz’ “receiving computer is to handle the email in some fashion.” Applicant has amended this claim to clarify that the message comprises at least one *explicit request* by one entity on a network of another entity on the network to perform a task. Applicant respectfully submits that Fuisz does not teach generating a message envelope of a message, the message comprising at least one *explicit request* by one entity on a network of another entity on the network to perform a task. Accordingly, for at least this reason, this claim is allowable.

Claims 65-79 ultimately depend upon independent claim 61. As discussed above, claim 61 is allowable.

In addition to its own merits, each of these dependent claims is allowable for the same reasons that its base claim is allowable. Applicant requests that the Office withdraw the rejection of each of these dependent claims because its base claim is allowable.



**Conclusion**

All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Office is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated:

12-14-04

By:



Kasey C. Christie  
Reg. No. 40559  
(509) 324-9256 x232  
[kasey@leehayes.com](mailto:kasey@leehayes.com)  
[www.leehayes.com](http://www.leehayes.com)